

1 State of Arkansas
2 94th General Assembly
3 Regular Session, 2023
4

A Bill

HOUSE BILL 1782

5 By: Representative Gazaway
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For An Act To Be Entitled

8 AN ACT TO AMEND THE LAW CONCERNING STUDENT RESTRAINTS
9 IN PUBLIC SCHOOLS OR EDUCATIONAL SETTINGS; AND FOR
10 OTHER PURPOSES.
11

Subtitle

12
13 TO AMEND THE LAW CONCERNING STUDENT
14 RESTRAINTS IN PUBLIC SCHOOLS OR
15 EDUCATIONAL SETTINGS.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. Arkansas Code § 6-18-2402(a), concerning the applicability
22 of the subchapter pertaining to student restraints in public schools or
23 educational settings, is amended to read as follows:

24 (a)(1) This subchapter applies to any school-aged and enrolled student
25 regardless of whether the student has an identified disability.

26 (2) This subchapter does not apply to:

27 (A) An emergency situation; or

28 (B) A situation that is unsafe or poses a threat to the
29 safety of an individual.
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31 SECTION 2. Arkansas Code § 6-18-2402, concerning the applicability of
32 the subchapter pertaining to the student restraints in public schools or
33 educational settings, is amended to add an additional subsection to read as
34 follows:

35 (d)(1) School personnel who act in good faith under this subchapter
36 shall not be liable for any civil damages for an act or omission so long as



1 the act or omission was not gross negligence or willful misconduct.

2 (2) Subdivision (d)(1) of this section does not provide immunity
3 for school personnel who engage in wanton, willful, or intentional
4 misconduct.

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